

Plaintiff's response makes clear that he intends to stand on his pleadings and will not provide the form required by the Court. Moreover, the fact that plaintiff provided the necessary disclosure with respect to his cause no. 2:04-CV-0304 indicates he understands the Notice of Deficiency Order. The "Exhibit A D.L.B. 900820 T.D.C.J. II, Plaintiff's Declaration of Inability to Pay Cost" to which plaintiff refers is not a six-month history of his inmate trust account certified by prison officials as accurate and does not comply with the disclosure requirement of Title 28, United States Code, section 1915(a)(2).

The response period has expired, and plaintiff has refused to comply with the Court's October 26, 2005 Notice of Deficiency Order and has failed to provide the necessary financial disclosure to allow consideration of his request to proceed in forma pauperis.

IT IS THEREFORE ORDERED:

The referral of the instant cause to the United States Magistrate Judge is hereby withdrawn.

This Civil Rights Complaint is DISMISSED WITHOUT PREJUDICE FOR REFUSAL TO COMPLY WITH THE COURT'S ORDER TO PROVIDE STATUTORILY-MANDATED FINANCIAL DISCLOSURE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk will mail a copy of this Order to the plaintiff and to any attorney of record by first class mail.

IT IS SO ORDERED.

ENTERED this 29th day of November, 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE